

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

UNITED STATES OF AMERICA,

Plaintiff,

v.

CASE NO. 23-mj-30048

OMAR RASHAD POUNCY,

HON. CURTIS IVY, JR.

United States Magistrate Judge

Defendant.

**MOTION FOR LEAVE TO DISMISS COMPLAINT AND WITHDRAW
ARREST WARRANT WITHOUT PREJUDICE AND SUPPORTING BRIEF**

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, the United States of America hereby moves for leave to dismiss without prejudice the complaint and arrest warrant against defendant. In this case, the government needs additional time to evaluate the criminal prosecution of defendant for the offenses in question and the public interest. *See generally United States v. Lovasco*, 431 U.S. 783, 790-96 (1977); 18 U.S.C. § 3161(d)(1). The government's ability to prosecute this case properly would be substantially impaired were it required to proceed to preliminary hearing with the time frame established by Federal Rule of Criminal Procedure 5.1.

Accordingly, the government requests leave to dismiss the complaint and arrest warrant without prejudice.

Respectfully submitted,

DAWN N. ISON
United States Attorney

Date: April 10, 2023

s/Ann Nee
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CERTIFICATE OF SERVICE

I hereby certify that on April 10, 2023, an employee of the U.S. Attorney's Office electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will electronically serve all ECF participants

s/Ann Nee

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